

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

FRANKLIN DEVILLE,

Plaintiff,

v.

COUNTY OF STANISLAUS,

Defendant.

1:05-CV-241 OWW DLB

ORDER DISMISSING ACTION
FOR LACK OF PROSECUTION

It appearing that the plaintiff having failed to prosecute
this action and having failed to respond to the courts Order To
Show Cause;

IT IS HEREBY ORDERED that this action is dismissed
without prejudice.

Dated: September 28, 2005

/s/ OLIVER W. WANGER

OLIVER W. WANGER
UNITED STATES DISTRICT JUDGE